

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



Children's Residential Care Update

DECEMBER 2007

This is our fourth quarter *Children's Residential Care Update* for 2007. We wish all of the children in our children's residential homes and their caregivers a happy, warm, and safe holiday season. We are in the fifteenth year of our efforts to keep the children's residential care community informed about licensing programs and services. Your support in sharing this Update with colleagues in your organization and others interested in children's issues is appreciated.

STATE IMPLEMENTATION OF THE FEDERAL ADAM WALSH CHILD PROTECTION AND SAFETY ACT OF 2006

Senate Bill (SB) 703 (Chapter 583, Statutes of 2007) amends California law to conform with the federal Adam Walsh Child Protection and Safety Act of 2006, designed to increase the safety of children by requiring stricter criminal history and child abuse checks prior to foster care licensure or final adoption approval. The new requirements for prospective foster and adoptive parents are effective January 1, 2008.

A completed Federal Bureau of Investigation (FBI) criminal history check will be required **prior** to licensure or final adoption approval for applications received on or after January 1, 2008. A completed out-of-state child abuse/neglect check will also be required prior to licensure if the prospective foster or adoptive parent or any other adult in the home has lived in another state within the past five years.

All County Foster Family Home Program (FFHP) Licensing Agencies and Foster Family Agencies (FFAs) are required to implement new procedures as a result of the new state law. These new procedures are outlined in CDSS Information Releases dated December 10, 2007, with the subject line "Adam Walsh Child Protection and Safety Act Of 2006". For further information, please go to the Adam Walsh section of the new Community Care Licensing Division (CCLD) website, which includes these Information Releases at <http://www.cclld.ca.gov/PG561.htm>. County FFHP licensing staff should direct questions to their County Liaison. FFAs should direct questions to the Caregiver Background Check Bureau (CBCB) at (916) 263-2151.

CCLD WEBPAGE HAS CHANGED

While the address for the Community Care Licensing Division (CCLD) webpage remains the same, www.cclld.ca.gov, the webpage has been updated to allow for easier navigation. Under the California Department of Social Services (CDSS) title, there are several new tabs, CCL Home, Laws & Regulations, Fingerprinting, Complaints, Facility Facts, Forms, and Tools & Resources. Each of these tabs includes a drop down menu of more specific services or information. Please take a few minutes to visit and browse the new CCLD webpage.

NEW SSI/SSP AND NON-MEDICAL RATES FOR 2008

New Supplemental Security Income (SSI)/State Supplementary Payment (SSP) rates become effective January 1, 2008. The new rates reflect a 2.30% federal cost of living increase to the SSI portion of the benefit. A chart showing the new payment standards is attached. A second chart showing the new non-medical out-of-home care rate increases is also attached. An increase in the combined SSI/SSP rate by the State of California, which will result in a total 3.70% cost of living increase in the 2007 SSI/SSP rate, has been suspended through May, but is slated to become effective June 1, 2008. Look to future updates for information regarding June 2008 increases. If you have questions regarding these new rates, please contact John Mason of the Adult Programs Operations Bureau at (916) 229-4008.

CHAPTERED LEGISLATION FOR 2007

A summary and implementation plan for each chaptered bill that affects children's residential facilities will be available on the CCLD website. Unless otherwise noted in the summary and implementation plan, these bills become effective on January 1, 2008. Licensees are encouraged to review these plans to ensure compliance with the provisions of these bills. If you have any questions, you are encouraged to contact your local licensing regional office. The implementation plans for children's residential facilities will be online at: <http://ccl.dss.cahwnet.gov/PG830.htm>.

PROPOSED REGULATIONS

Crisis Nurseries (CN): The Office of Administrative Law (OAL) has approved readoption of the existing emergency CN regulations until January 2008. The public comment period for the CN emergency regulations has concluded and we expect approval of these regulations by the end of 2007. CN regulations implement Senate Bill (SB) 855 (Chapter 664, Statutes of 2004). Current law defines CNs as facilities that provide short-term, 24-hour non-medical residential care and supervision for children under six years of age who are voluntarily placed in the nursery for up to 30 days by their parents/guardians due to a family crisis or stressful situation. Children may also temporarily be placed in CNs by county child welfare services agencies for no more than 14 days.

Foster Family Home (FFH): The Children's Residential Regulations Review Workgroup met in November 2007 to discuss revisions to all five articles of the FFH regulations. These regulations will implement several pieces of legislation: AB 408 (Chapter 813, Statutes of 2003) entitled foster children to participate in age-appropriate extracurricular, enrichment, and social activities. AB 1116 (Chapter 637, Statutes of 2005) authorized designated, trained caregivers who are not licensed health care providers to administer emergency medical assistance and/or injections for specific reasons to a foster child in placement. SB 358 (Chapter 628, Statutes of 2005) established the Prudent Parent Standard and exempts short-term babysitters from regulatory requirements for criminal background check, health screening, and CPR training. SB 500 (Chapter 630, Statutes of 2005) defined a "Whole Family Foster Home" and requires a "Shared Responsibility Plan" for a minor parent and caregiver with regard to the minor parent's child. The FFH regulations are also being revised in an effort to produce an improved regulatory scheme aimed at eliminating barriers to providing children with a "normal childhood" experience as well as preparing them for emancipation.

If you have questions about these proposed regulations, please contact the Policy Development Bureau at (916) 324-4312.

NEWS FROM THE STATEWIDE CHILDREN'S RESIDENTIAL PROGRAM OFFICE

CCLD is pleased to announce the rollout of the new and improved Foster Family Agency Web Application (FFAWA). Currently, it is in the test pilot stage and we anticipate it going statewide by May 2008. The new application will allow the Foster Family Agency (FFA) to certify, decertify, recertify and edit Certified Family Home (CFH) information; associate and disassociate cleared adults from the certified home; transfer a CFH within the FFA, and view select reports, such as a list of certified or decertified family homes. The Children's Residential Program Regional Offices will be contacting FFAs in the near future to schedule training dates for the FFAWA prior to going statewide.

The Foster Family Home (FFH) County Academy is scheduled in San Diego from April 21-25, 2008. Stay tuned in future updates for more information about this and other County Academies.

WINTER WEATHER HEALTH TIPS

Though most of California experiences relatively mild winters, there always exists the potential for freezing weather. The elderly and medically fragile are particularly susceptible to the cold. Persons with poor circulation, or who take medications that can interfere with the body's ability to regulate temperature, are at risk for hypothermia. For more information on being prepared for the winter season, visit <http://ccl.dss.cahwnet.gov/res/pdf/WinterWeather.pdf>.

EARNED INCOME TAX CREDIT: NEW LAW FOR EMPLOYERS IN 2008

Effective January 1, 2008, Assembly Bill (AB) 650, Chapter 606 (Lieu and Jones), requires employers who are required to provide unemployment insurance to notify their

employees that they may be eligible for the federal Earned Income Tax Credit (EITC). AB 650 requires employers to give notification to employees within one week before or after the *Wage and Tax Statement* (Form W-2) or *Miscellaneous Income* (Form 1099) form is given. This new law also requires employers to process the IRS Form W-5 for advance payments of the EITC if requested by the employee. For additional information, refer to www.edd.ca.gov. If you have any questions, please call the Taxpayer Assistance Center at (888) 745-3886.

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH ISSUES 2007-08 INFLUENZA RECOMMENDATIONS

In October 2007, the California Department of Public Health (CDPH) issued its Recommendations for the Prevention, Detection, and Control of Influenza in California Long-term Care Facilities, 2007-08. Licensees and providers are encouraged to review this document, which is comprehensive and easy to understand. In addition, a shortened version of the recommendations has been adapted as an aid for licensees and staff of residential community care facilities. Both documents are available on the CCLD web site at <http://www.cclld.ca.gov/PG523.htm>. The full text of the CDPH recommendations is available at <http://www.dhs.ca.gov/ps/dcdc/disb/disbindex.htm>. In addition, the Centers for Disease Control have posted information at <http://www.cdc.gov/flu/>.

MRSA/STAPH INFECTIONS

Recently there has been a great deal of publicity about staph infections, particularly staph infections caused by methicillin-resistant *Staphylococcus aureus* (MRSA, sometimes called "Mursa"). *Staphylococcus aureus*, often referred to simply as "staph," are bacteria commonly carried on the skin or in the nose of healthy people. Approximately 25 to 30 percent of the population is colonized (when bacteria are present, but not causing an infection) in the nose with staph bacteria; it can also be carried in the armpit, groin, or genital area. Staph bacteria are one of the most common causes of skin infections in the United States. Most of these skin infections are minor, such as pimples and boils, and can be treated without antibiotics. But staph can also cause serious infections, such as surgical wound infections, bloodstream infections, and pneumonia.

Most infections occur when staph gets inside the body through a break in the skin (cut or scrape). The infected person can spread the staph to someone else, or to objects including clothing, bed linens, towels, soap or furniture. These objects can be a source of infection if they become soiled with wound drainage and a non-infected person comes in contact with them. If there is no break in the skin, contact with infected persons or contaminated objects may result in colonization.

In the past, staph infections have usually been easy to treat with antibiotics. Now, typically over half of the staph causing skin infections are resistant to commonly used antibiotics. Infections often return in spite of apparently successful initial treatment.

MRSA: is a type of staph that is resistant to the penicillins, including dicloxacillin or other methicillin-related antibiotics. MRSA infections can range from mild to very serious, even life-threatening. Originally MRSA was confined to hospitals and long-term care settings; the elderly and those with weakened immune systems are especially vulnerable to

contracting these MRSA infections, which are called healthcare-associated MRSA (HA-MRSA). Taking antibiotics when they aren't really needed, or not taking antibiotics as directed, is a risk factor for HA-MRSA. More recently, a newer, more virulent strain of MRSA has emerged in the community that causes boils, abscesses, and other soft tissue infections. It is called community-associated MRSA (CA-MRSA, or CAMRSA). *CAMRSA is not linked to previous antibiotic use and may occur in otherwise healthy people of all ages.*

Resources: are available on the CCLD Web site at <http://www.cclld.ca.gov/PG532.htm>. These resources include information posted by the California Department of Public Health, the federal Centers for Disease Control and Prevention, and the Los Angeles County Department of Public Health, as well as links to English and Spanish versions of the booklet *Living with MRSA*.

RESIDENTIAL CARE STATISTICS

All of the statistics for state and county licensed Children's Residential Care facilities are available online. When you visit the new CCLD home page at <http://www.cclld.ca.gov>, please click on the "Facility Facts" tab at the top of the page. Click on the "Licensing Statistics" link on the center of the page that appears. Then, click on the desired "State Licensed Facilities by Geographical Area" or "County Licensed Facilities" link on the center of the page. Directories can also be obtained from your local Children's Residential Program licensing office.

SUMMARY

If you have questions about items included in this *Children's Residential Care Update* or suggestions for future topics, please contact Barbara Rooney, Chief of the Technical Assistance and Policy Branch (TAPB) at (916) 657-2346. Please visit our new CCLD website at www.cclld.ca.gov to obtain copies of Updates, office locations, provider letters, Information Releases, regulations, or to learn more about licensing services.

Sincerely,

Original Signed by Ben Partington
JO FREDERICK
Deputy Director
Community Care Licensing Division

Enclosures